

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GLOBAL COMMODITIES, INC.,

Plaintiff,

- against -

DAYAX, LLC and ABDISALAN HUBOR,

Defendants.
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MEMORANDUM AND ORDER

2:18-cv-5225 (DRH) (ARL)

HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation of Magistrate Judge Arlene R. Lindsay, dated January 13, 2022 (the “R&R” [DE 45]), recommending the Court grant in part and deny in part Plaintiff Global Commodities, Inc.’s motion for damages, attorney’s fees, and costs. Judge Lindsay concluded that (1) Plaintiff failed to offer evidence providing a “reasonable basis” for its damages computation, (2) \$275 per hour is a reasonable rate for Plaintiff’s attorney’s services, (3) Plaintiff’s attorney spent 9.8 hours on the matter, and (4) Plaintiff’s costs to date amounted to \$490. (R&R at 5, 9–11).

More than fourteen (14) days have passed since service of the R&R and no objections have been filed. Pursuant to 28 U.S.C. § 636(b) and Federal Rule Civil Procedure 72, this Court has reviewed the R&R for clear error. The Court finds none and concurs in the R&R’s reasoning and result.

IT IS HEREBY ORDERED, the Plaintiff’s motion for damages, attorney’s fees and costs is granted in part and denied in part. Plaintiff shall receive \$2,695 in attorney’s fees and \$490 in costs – for a total of \$3185.

The Clerk of Court is respectfully directed to enter judgment accordingly and to terminate the action.

SO ORDERED.

Dated: Central Islip, New York
February 11, 2022

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge